



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 12, 2013

BY HAND DELIVERY

The Honorable William H. Pauley III
United States District Judge
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Chambers 2210
New York, New York 10007

USDC SDNY	RECEIVED
DOCUMENT	JUL 15 2013
ELECTRONICALLY FILED	CHAMBERS OF
DOC #:	WILLIAM H. PAULEY
DATE FILED: 7/22/13	U.S.D.J.

Re: United States v. Frederic Cilins
13 Cr. 315 (WHP)

Dear Judge Pauley:

At the conference on Wednesday, July 3, 2013, the Court directed the Government to report by letter regarding the status of originals of certain agreements referenced in the underlying criminal complaint in this matter (the "Originals"), copies of which have been provided to the defense in discovery (Bates 000528-000547). As set forth in the Government's memorandum in opposition to the defendant's motion to compel and at the July 3, 2013 hearing, the Originals are not and never have been within the Government's possession, custody, or control. As further explained at the conference, the Government has learned from the cooperating witness referenced in the criminal complaint that the cooperating witness directly provided the Originals to Guinean authorities. The Originals, having gone directly from the cooperating witness to Guinean authorities, have never been in the possession of the Government. At the direction of the Court, the Government has made inquiry and has received confirmation, through United States counsel for the government of Guinea, that the Originals are still in the possession of the government of Guinea.

At the conference, the Court also directed the Government to produce to the defense by July 12, 2013, electronic data from two blackberries seized from the defendant incident to arrest, and by

July 17, 2013 electronic data from four thumb drives and two computers seized from the defendant. The Government today produced to the defense electronic data from all of these devices.*

Respectfully submitted,

PREET BHARARA

United States Attorney,

By:


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Assistant United States Attorney
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cc: Bruce H. Lehr, Esq. (via electronic mail)
Michelle P. Smith, Esq. (via electronic mail)

* The FBI forensics laboratory is processing the data from the I-PAD in a more readable form and the Government expects to produce additional data from that device by July 17, 2013.